

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FRANK E. ALEXANDER,)	
)	CASE NO. 3:23-cv-2424
Petitioner,)	
)	JUDGE BRIDGET MEEHAN BRENNAN
v.)	
)	
WARDEN TIMOTHY WALLACE,)	<u>MEMORANDUM OPINION</u>
)	<u>AND ORDER</u>
Defendant.)	

Before the Court is the Report and Recommendation (“R&R”) from Magistrate Judge Carmen E. Henderson (Doc. 8) recommending that Petitioner Frank E. Alexander’s (“Petitioner”) petition for a writ of habeas corpus be denied.

On December 21, 2023, Petitioner filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Doc. 1.) On April 29, 2024, Warden Timothy Wallace filed a return of writ on April 29, 2024. (Doc. 6.) Petitioner timely submitted his Traverse. (Doc. 7.) On August 9, 2024, Magistrate Judge Carmen E. Henderson issued an R&R recommending the Petition be dismissed in its entirety on the grounds of procedural default. (Doc. 8 at 273.) The R&R instructed that any objections must be submitted to the Court within fourteen days of receiving the R&R. (*Id.*)


Petitioner has not filed any objections, and the date for doing so has since passed. Notwithstanding, the Court reviewed the R&R and agrees that all presented claims were procedurally defaulted. The R&R is ACCEPTED and ADOPTED. The Petition is hereby DISMISSED.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of

appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

Date: October 10, 2024



BRIDGET MEEHAN BRENNAN
UNITED STATES DISTRICT JUDGE